

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JOHN DOE,

Plaintiff,

v.

DUKE UNIVERSITY,

Defendant.

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1:23CV1099

ORDER

This matter is before the Court on Plaintiff's Motion to Extend the Stay of Proceedings [Doc. #45, #47] and Motion for Ruling [Doc. #55]. Based on the information presented in the Motions and at the prior hearing, the Court finds no basis to extend the stay. There is no indication that Plaintiff could not have retained new counsel during the time allowed. Further, Plaintiff's participation in the hearing reflected his ability to proceed *pro se*, and it appears that Plaintiff is continuing to engage in activities that would reflect his ongoing ability to proceed *pro se* if he chooses to do so. Finally, the restrictions noted by Plaintiff would not preclude his ability to proceed in discovery at this time, as long as adequate breaks are included. Therefore, the Court will deny the Motion to Extend Stay. However, the Court will extend the existing deadlines briefly to address any potential concerns, so that Plaintiff has additional time to file any motions or responses. Therefore, the following deadlines will apply:

January 17, 2025	Plaintiff's deadline to sign HIPAA releases
January 24, 2025	Duke's deadline to file a motion to compel complete discovery responses, to include Duke's request to serve third-party subpoenas
February 7, 2025	Plaintiff's deadline to file a motion to proceed under a pseudonym and Plaintiff's deadline to file a response to Duke's motions to compel, including a response to Duke's Motion to Compel an Independent Psychiatric Examination

March 14, 2025	Plaintiff's deadline to serve expert reports and disclosures
April 14, 2025	Duke's deadline to serve expert reports and disclosures
May 14, 2025	Deadline for close of discovery


The Court notes that Duke filed a Motion for Extension of Time [Doc. #54] which is moot in light of the above extensions.

In addition, Plaintiff has also filed a Motion to Seal [Doc. #48] with regard to his medical records. The Court finds a sufficient basis to grant the request, given the nature of the private health information, the context on a non-dispositive scheduling matter, and the narrowly tailored nature of the request such that the substantive information has been publicly filed. In the circumstances, the sealing is necessitated by a compelling interest and is narrowly tailored to serve that interest.

IT IS THEREFORE ORDERED that the Motions to Extend Stay [Doc. #45, #47] are DENIED, but the relevant deadlines are briefly extended as set out herein, with a deadline of January 17, 2025 for HIPAA releases; January 24, 2025 for motions to compel; February 7, 2025 for Plaintiff to file a motion to proceed under a pseudonym and to respond to any motions to compel; March 14, 2025 for Plaintiff's expert reports and disclosures; April 14, 2025 for Defendant's expert reports and disclosures; and May 14, 2025 for the close of discovery.

IT IS FURTHER ORDERED that the Motion to Seal [Doc. #48] is GRANTED, and the Motion for Ruling [Doc. #55] and Motion for Extension of Time [Doc. #54] are moot.

This, the 9th day of January, 2025.


Jo Elizabeth Peake
United States Magistrate Judge